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| CAROL G. BROWN, |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| Vs. |) | ORDER |
| |) | |
| JO ANNE B. BARNHART, |) | |
| Commissioner of Social Security, |) | |
| |) | |
| Defendant. |) | |
| |) | |

THIS MATTER is before the court pursuant to 28, United States Code, Section 636(c) and upon the joint Motion for Stay of Court Proceedings While Social Security Appeals Council Acts on a Request for Review of the Administrative Law Judge's Decision in this Case (#14). For cause, the parties have shown that the Appeals Council has agreed to treat the Complaint as a request for review and act upon it, and that the parties agree that this is the best course of action.

The court commends counsel for the respective parties, as well as the Commissioner, for taking a practical approach to resolution of what is a most complex jurisdictional issue. The court appreciates the conservation of scarce resources that is evident in such decision, and will grant the relief requested. As a matter of housekeeping, all pending motions in this action will be denied without prejudice pending Appeals Council review to avoid placement of such motions on any late list.

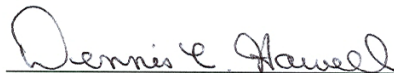
ORDER

IT IS, THEREFORE, ORDERED that

- (1) the joint Motion for Stay of Court Proceedings While Social Security Appeals Council Acts on a Request for Review of the Administrative Law Judge's Decision in this Case (#14) is **GRANTED**;
- (2) for purposes of housekeeping, all other pending motions in this matter are **DENIED** without prejudice;
- (3) the October 13, 2006, hearing is **CANCELLED**;
- (4) the Answer deadline is suspended during such stay, and within 30 days after decision by the Appeals Council, defendant shall file her Answer or other responsive pleading; and
- (5) this case is **STAYED** pending review and decision of plaintiff's request for review of the ALJ's April 5, 2006, decision by the Appeals Council.

The parties are respectfully instructed that in the event no Answer or other responsive pleading has been filed by November 30, 2006, a joint status report should be filed in this matter not later than December 1, 2006.

Signed: September 21, 2006



Dennis L. Howell
United States Magistrate Judge

